

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.) C.A. No. 13-442-JJM-PAS
)
STATE OF RHODE ISLAND,)
Defendant.)
)
UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.) C.A. No. 14-175-JJM-PAS
)
STATE OF RHODE ISLAND,)
Defendant.)
)

ORDER

Consistent with this Court's obligation to enter orders to ensure the Consent Decree and Interim Settlement Agreement are implemented, and in consultation with the Court Monitor and the parties, the Court issues the following order:

1. Aligned with the provisions of the Consent Decree, the State of Rhode Island will make best efforts so that all target population members continue to receive Essential Services and Supports, defined for the purpose of this Order as day services that are necessary for the health and safety of target population members, during the COVID-19 health crisis.
2. The State's obligation to track progress on employment targets and its obligation to issue quarterly reports are temporarily suspended during the Covid-19 health crisis. The substantive provisions of the Consent Decree and Interim Settlement Agreement remain unchanged.
3. State Parties will seek input from stakeholder groups (as defined in the Consent Decree) concerning strategies for: 1) providing Essential Services and Supports

during the COVID-19 health crisis; and 2) addressing the amendments requested in the 1115(a) Demonstration Application and Appendix K: Emergency Preparedness and Response and COVID-19 Addendum.

4. State Parties will continue to provide information to target group members and families concerning how services and supports will be provided during the COVID-19 health crisis. This information will include but not be limited to providing a means for target population members and their families or caregivers to notify the State of an urgent request related to Essential Services. This information will be disseminated through every possible method, including direct phone contacts, direct mailing, email (when addresses are available), posting on state agency websites and websites of pertinent organizations. Such information should also be available in plain language for individuals who have intellectual and developmental disabilities.
5. State Parties will provide the Monitor, Department of Justice, and the Court with the plan for addressing the amendments requested in the 1115(a) Demonstration Application and Appendix K: Emergency Preparedness and Response and COVID-19 Addendum within 7 days of the date of this Order; and biweekly updates by [telephonic conference or in writing] thereafter concerning (a) how Essential Services and Supports are being provided; (b) funding for such supports (Section XIV of the Consent Decree); (c) strategies for maintaining and supporting the direct support workforce, and (d) communication with target group members, families and stakeholders during the COVID-19 health crisis.
6. The Court will review this order every 30 days or at the earlier request of any of the Parties during the COVID-19 health crisis.

IT IS SO ORDERED.


John J. McConnell, Jr.
Chief Judge
United States District Court

April 1, 2020